

AIKIN  
PARKHOUSE  
HAZLEWOOD  
FULLER  
ASHLEY  
MOORE  
SADLER  
WAGONSELLER  
BRACEWELL  
SHIREMAN  
CORBIN  
WILLIS

The resolution was read.

Senator Be'l asked unanimous consent to consider the resolution immediately.

Senator Ashley moved the previous question on considering S. C. R. No. 47 immediately and the motion was duly seconded.

Question—Shall the previous question now be put?

The previous question failed to be ordered by the following vote:

**Yeas—13**

Ashley	Lock
Bell	Martin
Bracewell	Parkhouse
Fuller	Sadler
Hazlewood	Shireman
Kazen	Strauss
Latimer	

**Nays—14**

Aikin	Rogers
Corbin	of Childress
Hardeman	Rogers of Travis
Kelley	Rutherford
Lane	Secrest
McDonald	Wagonseller
Moffett	Willis
Phillips	

**Absent**

Russell	Weinert
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**Absent—Excused**

Colson	Moore
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Question—Shall S. C. R. No. 47 be adopted?

**House Bills on First Reading**

The following bills, received from the House, were read the first time and were referred to the committees indicated:

H. B. No. 622—To the Committee on Privileges and Elections.

H. B. No. 359—To the Committee on Civil Jurisprudence.

H. B. No. 863—To the Committee on Finance.

**Adjournment**

On motion of Senator Aikin the Senate at 5:50 o'clock p. m. adjourned until 2:30 o'clock p. m. tomorrow.

**FIFTY-EIGHTH DAY**

(Wednesday, May 6, 1953)

The Senate met at 2:30 o'clock p. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Moffett
Ashley	Moore
Bracewell	Parkhouse
Colson	Phillips
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Hazlewood	Sadler
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Wagonseller
Lock	Weinert
Martin	Willis
McDonald	

**Absent**

Bell	Rogers
	of Childress

A quorum was announced present.

The Invocation was offered by the Reverend W. H. Townsend, Chaplain, as follows:

Holy Father, all we like sheep have gone astray; we have turned every one to his own way, forgetting that the supreme purpose of life is to serve God and keep his commandments. Teach that the strong are to bear the burdens of the weak, and bearing one another's burdens so fulfill the law of Christ. In His name we pray. Amen.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**Presentation of Guests**

Senator Strauss, by unanimous consent of the Senate, presented Mrs. Callie Werth, Home Demonstration Agent, and 37 members of the Home Demonstration Club of Lavaca County, to the Members of the Senate.

**Reports of Standing Committees**

Senator Ashley submitted the following reports:

Austin, Texas,  
May 6, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred H. B. No. 43, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ASHLEY, Chairman

Austin, Texas,  
May 6, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred S. B. No. 332, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ASHLEY, Chairman

Austin, Texas,  
May 6, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred S. B. No. 329, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ASHLEY, Chairman

Austin, Texas,  
May 6, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred S. B. No. 122, have had the same under consideration and we are instructed to report it back to the Senate with the recommendation that it do not pass but that Committee

Substitute therefor do pass and be printed.

ASHLEY, Chairman

C.S.S.B. No. 122 was read the first time.

Austin, Texas,  
May 6, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred S. B. No. 276, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ASHLEY, Chairman

Austin, Texas,  
May 6, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred S. B. No. 125, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass but that Committee Substitute therefor do pass and be printed.

ASHLEY, Chairman

C.S.S.B. No. 125 was read the first time.

Senator Lock submitted the following reports:

Austin, Texas,  
May 6, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 340, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

LOCK, Chairman.

Austin, Texas,  
May 6, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 343, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LOCK, Chairman.

Austin, Texas,  
May 6, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 94, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LOCK, Chairman.

Austin, Texas,  
May 6, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred H. B. No. 863, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LOCK, Chairman.

#### Message From the House

Hall of the House of Representatives,  
Austin, Texas,  
May 6, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 559, A bill to be entitled "An Act creating a Commission to provide for education and study relating to problems of alcoholism and for commitment and treatment of alcoholics; repealing Senate Bill No. 418, Chapter 398, Acts, 52nd Legislature, Regular Session, 1951; providing a severability clause; and declaring an emergency."

H. B. No. 325, A bill to be entitled "An Act to provide for licensing of veterinarians and regulation of the practice of veterinary medicine; making an appropriation; repealing Title 127, Veterinary Medicine and Surgery; Articles 7448 through 7465, Revised Civil Statutes of Texas, 1925, and Articles 1526 through 1532 of the Penal Code of Texas, 1925; and declaring an emergency."

H. B. No. 891, A bill to be entitled "An Act to make available to the Lamar State College of Technology the funds available in a special State Treasury Account and make such ap-

propriation to the Board of Regents of said College to be expended for the construction of buildings on the campus of said School pursuant to the general laws of this State; and declaring an emergency."

H. B. No. 163, A bill to be entitled "An Act repealing House Bill 190, Acts of the 52nd Legislature, Regular Session, and House Bill 97, Acts of the 51st Legislature, Regular Session; donating and granting all unexpended balances of funds and aid heretofore appropriated or granted thereby to Soil Conservation Districts; providing methods for creation, dissolution and operation of such Districts and the election of Delegates to District and State Conventions; recognized and declaring the existence of a public calamity from drought, wind and water erosion of soil; and declaring an emergency."

H. B. No. 437, A bill to be entitled "An Act amending subsection (6) of Section 1, of Chapter 544, General Laws, 47th Legislature, Regular Session, page 873, being codified as subsection (6) of Section 1 of Article 2654c, Vernon's Civil Statutes, and pertaining to the provision for members of designated Armed Services of the United States, and their husbands, wives, and children to enroll in institutions of higher learning in this State by paying the tuition fees and other fees or charges provided for residents of the State; providing a saving clause and declaring an emergency."

H. B. No. 471, A bill to be entitled "An Act amending Article 6243-101, Section 4, Revised Civil Statutes, prescribing qualifications of certain members of the Texas State Board of Plumbing Examiners and declaring an emergency."

H. B. No. 723, A bill to be entitled "An Act to amend the Insurance Code, Acts, 1951, 52nd Legislature, Chapter 491, Senate Bill No. 236, by adding Article 3.69 thereto restricting agents' production contracts and restricting provisions on agents' drawing accounts; and declaring an emergency."

H. B. No. 890, A bill to be entitled "An Act authorizing the State Highway Commission to grant to day laborers eighty-eight (88) hours vacation with full pay to such laborers who have worked for said State

Highway Department for over six months."

H. B. No. 816, A bill to be entitled "An Act to amend Article 6823, of Title 117, and all amendments thereto, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

H. B. No. 579, A bill to be entitled "An Act creating 'Upper Neches River Municipal Water Authority,' a Conservation and Reclamation District, pursuant to and for the purposes set forth in Section 59, Article XVI, of the Texas Constitution; constituting such District a political subdivision of the State, a body politic and corporate for the purpose of providing water for municipal, domestic, industrial and other uses permitted by law and the processing and distribution thereof; defining the boundaries of the District; providing for the annexation of additional territory, thereto and the methods of accomplishing same; providing a Board of Directors to control and exercise the District's powers, their qualifications, election, tenure and organization; making provisions for a General Manager and the employment of others to aid in the accomplishment of the District's purposes; providing controls in the disbursement of the District's funds; requiring records and accounts, the safe keeping thereof and annual audits with respect thereto; authorizing the storage, control and distribution of the storm and flood waters and unappropriated flow of the Neches River and its tributaries and granting the District permits to appropriate such waters; providing for the acquisition development and use of water from underground sources; authorizing cities within the District to give financial aid; authorizing water supply contracts with water users, contracts for renting, leasing or operating water facilities and other contracts for accomplishment of the purposes for which the District is created including contracts with the United States or its agencies; providing for the acceptance of loans, grants, or other support from the United States, the State of Texas, or any corporation or agency of either; authorizing the borrowing of money and the issuance of negotiable interest bearing bonds secured by net revenues, ad valorem taxes, or by both revenues and taxes, to provide the facilities necessary to accomplish the District's purposes; prescribing the methods to

be employed in the authorization, issuance and sale of bonds; providing for refunding the district's obligations; authorizing the giving of mortgages and deeds of trust to further secure bonds supported wholly or in part by a pledge of net revenues and providing for the appointment of a receiver; providing for the submission of bond issues to the Attorney General for approval, the registration thereof by the Comptroller of Public Accounts, and for the incontestability of bonds so approved and registered; providing for the Attorney General's approval of water contracts when the proceeds thereof are pledged to the payment of revenue bonds; providing that bonds may be issued to finance the cost of purchasing or constructing any of the District's facilities and to cover cost of organization, investigation and to pay interest on bonds during the construction period; authorizing investment of bond proceeds; providing that the District's bonds shall be legal investments and eligible to secure deposits of public funds; exempting the District's facilities and bonds from taxation; providing for the selection of depositories; providing for the levy, assessment and equalization of ad valorem taxes for the operation and maintenance of the District, the purchase and construction of its facilities and the payment of its obligations when authority therefor is given at an election held for the purpose; providing that the exclusion of lands or other property shall not be required; authorizing the District to provide recreation facilities; providing that the District may enact rules and regulations and prescribe penalties in the protection of its properties and to safeguard the purity of its water supply, granting the District the right of eminent domain and making applicable the provisions of Title 52, Revised Civil Statutes of Texas, 1925, as amended; providing that cities and areas contained in the District shall have priority in the allocation of its water supply; providing that the District may sell and dispose of unnecessary property; may sue and be sued in its corporate name; may adopt and alter a corporate seal; may make by-laws for regulation of its affairs; may contract for sources of water and for the operation of water production facilities; prescribing other powers including the authority to do all acts or things necessary or

convenient in the exercise of all its powers; requiring competitive bids for contracts involving expenditures of \$25,000 or more; providing for confirmation of the District by election; prescribing voting places for elections; providing that the District shall be in addition to all other districts and authorities into which the State has heretofore been divided and declaring the area thereof detached from all other districts or authorities heretofore established under Section 59 of Article XVI of the Texas Constitution; prescribing provisions with relation to the giving of official bonds by the officers and employees of the District; providing that the general laws of this State pertaining to water control and improvement districts shall be applicable when not in conflict with this Act; providing that the District shall not be required to give bond in any court of this State; declaring the District essential; providing that nothing in the Act shall be construed to violate any of the provisions of the Federal or State Constitutions; providing that if any provisions of this Act shall be held invalid, the validity of the other provisions thereof shall not be affected; providing for a liberal construction of the Act; enacting provisions relating to the subject and purpose of the Act, and declaring an emergency."

S. C. R. No. 45, Proclaiming 1954 as Centennial year of founding of Texas Public School System, and designating Jan. 31, 1954, as day on which 100th such anniversary be celebrated.

The House has adopted the Conference Committee Report on S. J. R. No. 2 by a vote of 123 yeas, 6 nays.

The House has concurred in Senate amendments to House Bill No. 433 by viva voce vote.

The House has concurred in Senate amendments to House Bill No. 230 by vote of 125 yeas, 0 nays.

The House has concurred in Senate amendments to House Bill No. 35 by viva voce vote.

The House has concurred in Senate amendments to House Bill No. 494 by vote of 127 yeas, 0 nays.

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 21. Conference Committee ap-

pointed: Spacek, Burkett of Kerr, Glusing, Crain, Stark.

The House refused to concur in Senate amendments to H. J. R. No. 10 and has requested the appointment of a Conference Committee to consider the differences between the two Houses. House Conferees: Bradshaw, Kilgore, Sayers, Brooks, Maverick.

The House has concurred in Senate amendments to House Bill No. 22 by vote of 69 yeas, 52 nays.

Respectfully submitted,  
CLARENCE JONES,  
Chief Clerk, House of Representatives.

#### Senate Bill 344 on First Reading

Senator Bracewell moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

#### Yeas—29

Aikin	Moffett
Ashley	Moore
Bracewell	Parkhouse
Colson	Phillips
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Hazlewood	Sadler
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Wagonseller
Lock	Weinert
Martin	Willis
McDonald	

#### Absent

Bell	Rogers of Childress
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The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Bracewell:

S. B. No. 344, A bill to be entitled "An Act creating the Harris County Sanitation District; prescribing its powers, authorities, duties and limitations; providing for a Board of Directors of the Authority and for an Advisory Board and prescribing their duties; authorizing the issuance of

bonds and providing for the payment and security thereof; enacting other provisions relating to the subject; providing a saving clause; and declaring an emergency."

To the Committee on Counties and County Boundaries.

**Senate Concurrent Resolution 48 on First Reading**

Senator Rogers of Travis moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a resolution, the provisions of which he explained.

The motion prevailed by the following vote:

**Yeas—29**

Aikin	Moffett
Ashley	Moore
Bracewell	Parkhouse
Colson	Phillips
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Hazlewood	Sadler
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Wagon seller
Lock	Weinert
Martin	Willis
McDonald	

**Absent**

Bell	Rogers
	of Childress

The following resolution was then introduced, read first time and referred to the committee indicated:

S. C. R. No. 48, Relating to the orderly development of the physical property of the State of Texas located at Austin, Texas.

Whereas, The orderly development of the City of Austin and the State Government are directly related and dependent one upon the other; and

Whereas, The increasing problem of planning for and regulating vehicular traffic is a prime problem within the Capitol City; and

Whereas, Any expansion or development of State property in Austin should be carefully planned with a view not only to economy in government but the convenience of the public and employees of the State; and

Whereas, A message stressing the importance of this matter, together with a suggestion for the designation of a Special Committee for the study and planning of an orderly development of the State's physical properties, were contained in the Governor's address to a Joint Session of the 53rd Legislature on January 14, 1953; now, therefore, be it

Resolved, by the Senate of Texas, the House of Representatives concurring, that there is hereby established a State Planning Committee to make studies of this increasing problem and to report the result of its study to the Governor, the Lieutenant Governor, and the Speaker of the House of Representatives. The committee hereby established is to be composed of fifteen members, five to be appointed by the Governor, who shall be ex-officio chairman, five to be appointed by the Lieutenant Governor, and five to be appointed by the Speaker of the House of Representatives. Be it further

Resolved, That this committee is hereby authorized to ask for the cooperation and assistance of the various State Departments, the County of Travis and the City of Austin, and, to defray the technical expense of making such studies there is hereby appropriated the sum of \$..... or so much thereof as may be necessary, out of the contingent expense fund of the 53rd Legislature to carry out the purpose of this resolution.

**ROGERS of Travis  
ASHLEY**

To the Committee on Finance.

**Senate Bill 345 on First Reading**

Senator Kelley moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

**Yeas—30**

Aikin	Kazen
Ashley	Kelley
Bracewell	Lane
Colson	Latimer
Corbin	Lock
Fuller	Martin
Hardeman	McDonald
Hazlewood	Moffett

Moore	Sadler
Parkhouse	Secrest
Phillips	Shireman
Rogers	Strauss
of Childress	Wagonseller
Rogers of Travis	Weinert
Russell	Willis
Rutherford	

Absent

Bell

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Kelley:

S. B. No. 345, A bill to be entitled "An Act providing for zoning of Padre Island lying within Cameron and Willacy Counties by the Commissioners Courts of said counties on recommendation of a zoning commission of seven members to be appointed by the said Commissioners Courts; including provisions for dividing said island into districts, for regulating and restricting the erection, construction, reconstruction, alteration, repair, or use of buildings, structures or land; providing for the creation of the powers and duties and as to the procedures of a zoning commission and how its members shall be chosen, and of a board of adjustment and how its members shall be chosen; providing for administration and enforcement; authorizing the employment of necessary personnel and incurring of necessary expenses; providing for writ of certiorari out of courts of record, and for injunctive relief, for enforcement of and for restraining of certain actions of the zoning commission or of the board of adjudgment; for reversal in whole or in part or for modification of any erroneous decision of said board; declaring an emergency and providing for the effective date of the Act."

To the Committee on Counties and County Boundaries.

#### Senate Concurrent Resolution 49 on First Reading

Senator Aikin moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a resolution, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Ashley	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis
Moffett	

Absent

Bell

The following resolution was then introduced, read first time and referred to the committee indicated:

By Senator Aikin:

S. C. R. No. 49, Relating to the use of local funds belonging to the Texas National Guard Armory Board as a participating fund for the construction in this State of armories financed in part by the United States Government.

Whereas, The orderly development, growth, and expansion of the Texas National Guard is directly related to, and to a great extent dependent upon, proper housing of the local units of the National Guard in the various cities and towns of Texas; and,

Whereas, The Texas National Guard is one of the, if not the most, outstanding National Guard organizations in the nation; and,

Whereas, It is essential to its continued growth, development, and training that local units of the Guard in this State have adequate armories; and,

Whereas, Under the existing laws of the United States federal funds are available to the Texas National Guard Armory Board for use in the partial financing of the building of armories in this State, provided the Texas National Guard Armory Board, for and on behalf of the State, make a contribution to such federal funds of twenty-five per cent of the total cost thereof as a participating fund; and,

Whereas, The Texas National Guard Armory Board now has certain local funds which could and should be used as a participating fund in

the construction of armories under this federal program, thereby eliminating the necessity of issuing bonds and the expenditure of useless and unnecessary interest and other expenses in connection with such bond issues; and,

Whereas, Numerous communities in Texas, as a part of a civic undertaking, have donated without cost to the State, land upon which to build National Guard Armories; and,

Whereas, It is in the interest of both the State and National defense that such armories be constructed without further delay; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that the Texas National Guard Armory Board be, and the same is hereby, authorized and directed to spend, and there is hereby made available to it, any or all local funds which the Board now has, or which it may hereafter acquire, which in the sound judgment and discretion of the Board may be necessary for use as the twenty-five per cent contribution now required by the Federal Government on the part of the State as participating fund for the construction of armories that are to be financed in part by the United States Government for the use and benefit of the Texas National Guard.

To the Committee on Finance.

#### Senate Resolution 264

Senator Moffett offered the following resolution:

Whereas, The Corpus Christi Chamber of Commerce acted as the host for the Senate and House of Representatives of Texas at is Buccaneer Days celebration of May 2nd and 3rd; and

Whereas, A number of the members of the Senate attended such celebration and were recipients of the hospitality of the citizens of Corpus Christi, participated in the week-end of entertainment, and took advantage of the opportunity for an inspection of the area's public institutions and installations, including those devoted to education, commerce and transportation; and

Whereas, It is the desire of the Senate of Texas to recognize the generous and cordial hospitality of the Corpus Christi Chamber of Commerce and the citizens of that area in making possible such an enjoyable week-end, which provided both relax-

ation and valuable information profitable to those members of the Senate and their families who participated; now, therefore, be it

Resolved, That the Senate of the 53rd Legislature of the State of Texas hereby extends to the Corpus Christi Chamber of Commerce a sincere expression of appreciation for the hospitality shown by said Chamber of Commerce and its membership and the citizens of South Texas who made possible such an occasion; and, be it further

Resolved, That the able Senator from Nueces and his associates in the House of Representatives responsible for arrangements for the visit to Corpus Christi be extended the thanks of the Senate of Texas for their courtesy and entertainment on this trip; and, be it further

Resolved, That a copy of this Resolution be spread upon the pages of the Senate Journal, and a certified copy thereof be sent to the Honorable Oscar Koepke, President of the Chamber of Commerce of Corpus Christi, Texas.

The resolution was read and was adopted.

#### Senate Concurrent Resolution 50

Senator Shireman offered the following resolution:

S. C. R. No. 50, Requesting the Texas Legislative Council to study the game and fish conservation laws of this State.

Whereas, The wildlife in Texas and in its coastal waters is a source both of sporting pleasure and of important commerce; and

Whereas, Regulation of the taking of such wildlife is a subject of constant legislative attention through game and fish laws; and

Whereas, A study of the Texas game and fish laws and their operation, and of methods of conservation regulation employed by other States would be of great assistance to the Legislature in future consideration of such legislation; now, therefore, be it

Resolved, By the Senate, the House of Representatives concurring, that the Texas Legislative Council is requested to study the game and fish laws of this State in comparison with regulation measures employed by other states for the purpose of making useful information and suggestions as to possible courses of action avail-



able to the 54th Legislature and its members. The Game and Fish Commission, educational institutions, and all other agencies of the State whose activities bear on conservation of wildlife, shall cooperate with the Council in making such study.

The resolution was read.

On motion of Senator Shireman and by unanimous consent of the Senate, the resolution was considered immediately and was adopted.

#### Adoption of Conference Committee Report on House Bill 476

On motion of Senator Moffett the Senate adopted the Conference Committee Report on H. B. No. 476 by the following vote:

#### Yeas—25

Aikin	Phillips
Bracewell	Rogers
Colson	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Weinert
Moffett	Willis

#### Absent

Ashley	Latimer
Bell	Moore
Corbin	Parkhouse

#### House Bill 70 on Second Reading

On motion of Senator Fuller and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 70, A bill to be entitled "An Act authorizing cities, towns and villages to provide Workmen's Compensation Insurance for city, town, and village employees and their representatives and beneficiaries for personal injuries sustained in the course of employment and from death resulting from such injuries; etc., and declaring an emergency."

The bill was read the second time.

Senator Fuller offered the following committee amendment to the bill:

Amend H. B. No. 70 in Section 3, page 4, line 9, to delete the word "any" after the word "from" and add thereto the word "a."

The committee amendment was adopted.

Senator Fuller offered the following committee amendment to the bill:

Amend H. B. No. 70 by adding at the end of Section 2, a new paragraph to be numbered 11:

"11. With the consent of the Association or their insurance company, writing insurance provided by the provisions of Title 130 of the Revised Civil Statutes of Texas, an employee may at any time have treatment for his injuries or occupational disease by prayer or spiritual means through the application or use of the principles, tenets, or teachings of any established church without the use of any drug or material remedy, provided sanitary and quarantine laws and regulations are complied with; and provided, further, that all those so ministering or offering to minister to the injured or sick employee are bona fide members of such church. An employee having treatment by prayer or spiritual means shall be compensated for his injuries, occupational disease, and time, and allowed payment for treatment and necessary services in connection therewith, as fully as if any other form of treatment had been employed. Such employee, however, shall submit to all physical examinations as required by law or as may be directed by the Board or that may be requested by the Association or other insurance company.

The committee amendment was adopted.

Senator Fuller offered the following amendment to the bill:

Amend H. B. No. 70, Section 6, line 19, page 3, of the printed House Bill, by striking therefrom the numeral six (6).

The amendment was adopted.

Senator Fuller offered the following amendment to the bill:

Amend Section 9 of H. B. 70, by striking out all of said Section 9, and inserting in lieu thereof the following:

"Sec. 9. The Board may require any employee claiming to have sustained injury to submit himself for examination before such Board or someone acting under its authority at some reasonable time and place within the State, and as often as may be reasonably ordered by the Board to a physician or physicians, chiropractor or chiropractors authorized to practice under the laws of this State. If the employee of the City, Town or Village requests, he or it shall be entitled to have a physician or physicians, chiropractor or chiropractors of his or its own selection present to participate in such examination. Refusal of the employee to submit to such examination shall deprive him of his right to compensation during the continuance of such refusal. When a right to compensation is thus suspended, no compensation shall be payable in respect to the period of suspension. If any employee shall persist in insanitary or injurious practices which tend to either imperil or retard his recovery, or shall refuse to submit to such medical, surgical, chiropractic or other remedial treatment recognized by the State, as is reasonably essential to promote his recovery, the Board may in its discretion order or direct the city, town or village to reduce or suspend the compensation of any such injured employee. No compensation shall be reduced or suspended under the terms of this section without reasonable notice to the employee and an opportunity to be heard.

The City, Town or Village shall have the privilege of having any injured employee examined by a physician or physicians, chiropractor or chiropractors of its own choice, at reasonable times, at a place or places suitable to the condition of the injured employee and convenient and accessible to him. The city, town or village shall pay for such examination and the reasonable expense incident to the injured employee in submitting thereto. The injured employee shall have the privilege to have a physician or chiropractor of his own selection present to participate in such examination. Provided, when such examination is directed by the Board or the city, town or village, the city, town or village shall pay the fee of the physician or chiropractor selected by the employee, such fee to be fixed by the Board.

Process and procedure shall be as summary as may be under this Act.

The Board or any member thereof shall have the power to subpoena witnesses, administer oaths, inquire into matters of fact, examine such parts of the books and records of the parties to a proceeding as relate to questions in dispute. All rulings and decisions of the Board relating to disputed claims shall be upon questions of fact and in accord with the provisions of this Act."

The amendment was adopted.

Senator Strauss asked to be recorded as voting "Nay" on the adoption of the above amendment.

On motion of Senator Fuller and by unanimous consent of the Senate, the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to third reading.

#### House Bill 70 on Third Reading

Senator Fuller moved that the Constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 70 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—29

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Rutherford
Hazlewood	Sadler
Kazen	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

#### Absent

Kelley	Russell
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—28

Aikin	Ashley
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Bell	Moffett
Bracewell	Parkhouse
Colson	Phillips
Corbin	Rogers
Fuller	of Childress
Hardeman	Rogers of Travis
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Strauss
Latimer	Wagonseller
Lock	Weinert
Martin	Willis
McDonald	

Absent

Moore	Shireman
Russell	

**Message From the House**

Hall of the House of Representatives,  
Austin, Texas,  
May 6, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 136, A bill to be entitled "An Act to amend Chapter 85, Acts of the 43rd Legislature, 1933, as amended, now codified by Vernon's Revised Civil Statutes as Article 5506a by providing for the creation of a lien in certain circumstances against all writs of acts, suits, claims, counter claims or demands to which an injured party may be entitled if such injured party is treated for personal injuries by a hospital or clinic in certain circumstances where the injuries were sustained in an accident as the result of the alleged negligence of certain parties; etc., and declaring an emergency."

S. B. No. 29, A bill to be entitled "An Act prohibiting the operation of motor vehicles in which are installed television receiver sets; fixing a penalty; and declaring an emergency."

With amendments.

S. B. No. 133, A bill to be entitled "An Act to amend Article 667, Chapter 5, page 430, Vernon's Texas Statutes, Code of Criminal Procedure, relating to bills of exception in a criminal case, by adding thereto a new section relating to such bills of exception contents, and purpose; and declaring an emergency."

With amendment.

S. B. No. 124, A bill to be entitled "An Act amending Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 of House Bill No. 603, Chapter 500, Acts 52nd Legislature, Regular Session, 1951, so as to provide for coverage of certain officers and employees of political subdivisions of the State under the old-age and survivor's insurance provisions of the Federal Social Security Act; and declaring an emergency."

With amendments.

Respectfully submitted,  
CLARENCE JONES,  
Chief Clerk, House of Representatives.

**Reports of Standing Committees**

By unanimous consent, Senator Secrest submitted the following report:

Austin, Texas,  
May 6, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred S. B. No. 345, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SECREST, Chairman

By unanimous consent, Senator Moore submitted the following report:

Austin, Texas,  
May 6, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred H. B. No. 474, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman

**Message From the House**

Hall of the House of Representatives,  
Austin, Texas,  
May 6, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 546, A bill to be entitled "An Act appropriating money for expenses of prosecution of State of Texas v. State of New Mexico, et al.,

in the Supreme Court of the United States; and declaring an emergency."

S. B. No. 107, A bill to be entitled "An Act amending Article 17.05, Article 17.06, Article 17.11, Article 17.16, Article 17.17, Section 4 of Article 17.25, Section 7 of Article 17.25 and Section 9 of Article 17.25 of Senate Bill No. 236, known as the Insurance Code, Acts 1951, 52nd Legislature; amending Article 17.25 by adding thereto Section 22 requiring that every county mutual insurance company licensed and doing business under Chapter 17 of the Insurance Code at the effective date of this Act shall have until May 31, 1954, to comply with the requirements of this Act; etc., and declaring an emergency."

(With amendments.)

Respectfully submitted,  
CLARENCE JONES,  
Chief Clerk, House of Representatives.

#### Motion to Place House Bill 5 on Second Reading

Senator Hazlewood asked unanimous consent to suspend the regular order of business to take up H. B. No. 5 for consideration at this time.

There was objection.

Senator Hazlewood then moved to suspend the regular order of business and that H. B. No. 5 be taken up for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

#### Yeas—19

Aikin	Latimer
Ashley	Lock
Bell	Martin
Bracewell	Moffett
Colson	Rogers of Travis
Corbin	Secrest
Hardeman	Shireman
Hazlewood	Strauss
Kazen	Weinert
Lane	

#### Nays—9

Fuller	Phillips
Kelley	Rutherford
McDonald	Wagonseller
Moore	Willis
Parkhouse	

#### Present—Not Voting

Rogers  
of Childress

#### Absent

Russell

Sadler

#### House Joint Resolution 3 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. J. R. No. 3, Proposing an amendment to Section 24 of Article III of the Constitution of the State of Texas relating to compensation of Members of the Legislature; providing for the submission of the proposed amendment to a vote of the people; and providing for the effective date of the amendment if ratified.

The resolution was read second time.

Senator Bracewell offered the following amendment to the resolution:

Amend H. J. R. No. 3 by placing a period after the word "session" on line 21 of the printed copy and striking out the subsequent words through line 23.

The amendment was adopted.

Senator Rutherford asked to be recorded as voting "nay" on the adoption of the above amendment.

Senator Bracewell offered the following amendment to the resolution:

Amend H. J. R. No. 3 by striking out the words and figures "fourth Saturday in July 1954" and substituting therefor the words and figures "first Tuesday after the first Monday in November 1954."

The amendment was adopted.

Senator Kelley offered the following amendment to the resolution:

Amend H. J. R. No. 3 by striking out 1955 wherever appearing in the resolution and substituting in lieu thereof 1957.

Senator Bracewell moved to table the amendment.

The motion to table the amendment prevailed by the following vote:

#### Yeas—19

Ashley	Hardeman
Bell	Hazlewood
Bracewell	Kazen
Fuller	Lane

Latimer	Russell
Martin	Sadler
McDonald	Secrest
Rogers	Shireman
of Childress	Strauss
Rogers of Travis	Willis

Nays—11

Aikin	Moore
Colson	Parkhouse
Corbin	Phillips
Kelley	Rutherford
Lock	Wagonseller
Moffett	

Absent

Weinert

The resolution was passed to third reading by the following vote:

Yeas—17

Bell	Rogers
Bracewell	of Childress
Fuller	Rogers of Travis
Hazlewood	Russell
Kazen	Rutherford
Lane	Secrest
Latimer	Shireman
Martin	Strauss
McDonald	Willis

Nays—13

Aikin	Moffett
Ashley	Moore
Colson	Parkhouse
Corbin	Phillips
Hardeman	Sadler
Kelley	Wagonseller
Lock	

Absent

Weinert

**House Bill 384 on Second Reading**

On motion of Senator Rutherford, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 384, A bill to be entitled "An Act amending Section 1 of Chapter 41, Acts of the 41st Legislature, Second Called Session, 1929, Ch. 41, p. 71, so as to provide for designation by cities and towns of routes for superheavy and oversize equipment used in the transportation of such commodities as cannot be reasonably dismantled on State highways through said cities and towns; and declaring an emergency."

The bill was read second time and passed to third reading.

**House Bill 384 on Third Reading**

Senator Rutherford moved that the Constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 384 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Parkhouse
Ashley	Phillips
Bell	Rogers
Bracewell	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Hazlewood	Secrest
Kazen	Shireman
Kelley	Wagonseller
Lane	Weinert
Latimer	Willis
Moffett	

Nays—4

Colson	Moore
Martin	Strauss

Present—Not Voting

McDonald

Absent

Lock	Sadler
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Moffett
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Hazlewood	Sadler
Kazen	Secrest
Kelley	Shireman
Lane	Wagonseller
Latimer	Weinert
Lock	Willis
McDonald	

## Nays—3

Martin  
Moore

Strauss

## House Bill 392 Re-referred

On motion of Senator Rogers of Travis, and by unanimous consent of the Senate, H. B. No. 392 was withdrawn from this Committee on State Affairs and re-referred to the Committee on Civil Jurisprudence.

## Bill Signed

The President announced the signing of, in the presence of the Senate after the caption had been read, the following enrolled bill:

H. B. No. 357, A bill to be entitled "An Act amending Section 1 of House Bill No. 965, Chapter 513, Acts of the Regular Session of the Fifty-first Legislature, 1949, page 940, so as to change the population of cities within the scope of said Act from Two Hundred Thousand to One Hundred Thirty-two Thousand according to the preceding Federal census; and declaring an emergency."

## Motion to Place House Bill 132 on Second Reading

Senator Parkhouse asked unanimous consent to suspend the regular order of business and take up H. B. No. 132 for consideration at this time.

There was objection.

Senator Parkhouse then moved to suspend the regular order of business to take up H. B. No. 132 at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

## Yeas—19

Aikin	Moffett
Ashley	Parkhouse
Bell	Rogers of Travis
Colson	Rutherford
Hardeman	Sadler
Hazlewood	Secrest
Kelley	Strauss
Lane	Weinert
Lock	Willis
McDonald	

## Nays—12

Bracewell	Kazen
Corbin	Latimer
Fuller	Martin

Moore	Russell
Phillips	Shireman
Rogers	Wagonseller
of Childress	

## Message From the House

Hall of the House of Representatives,  
Austin, Texas,  
May 6, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 93, Suspending the joint rules for the consideration of House Bill No. 12, at any time.

H. C. R. No. 97, Suspending the joint rules for the purpose of considering Senate Bill No. 340 in the Senate or in the House any time.

H. C. R. No. 94, Giving the Enrolling Clerk authority to make changes in H. B. No. 500.

The House has concurred in Senate amendments to House Bill No. 320 by vote of 91 yeas, 16 nays.

S. B. No. 75, A bill to be entitled "An Act amending Article 1700 of the Penal Code of the State of Texas, 1925 (Article 1700 of Vernon's Penal Code), providing for an offense for refusing to state where nursery stock was propagated or the manner of propagation, or for selling, offering for sale, or delivering nursery stock which is untrue to name, dead, or devitalized to such an extent as to be unfit for sale; providing a saving clause; and declaring an emergency."

S. B. No. 74, A bill to be entitled "An Act amending Article 128 of the Revised Civil Statutes of Texas, 1925, as amended so as to permit the Commissioner of Agriculture to enter into reciprocal agreements with responsible officers of other States; providing a saving clause; and declaring an emergency."

H. C. R. No. 95, Providing that the Joint Rules of the House and Senate be suspended so that the House may consider House Bill No. 15 at any time.

S. B. No. 76, A bill to be entitled "An Act amending Article 1693 of the Penal Code of the State of Texas, 1925 (Article 1693 of Vernon's Penal

Code), providing that each individual delivery of nursery stock shall be packed in such a manner that the roots will be protected from air and loss of moisture; providing a saving clause; and declaring an emergency.

With amendments.

S. B. No. 123, A bill to be entitled "An Act granting State employees who executed waivers in the Employees Retirement System of Texas the privilege to deposit with the Employees Retirement System of Texas all back contributions and dues commencing with the State fiscal year, Sept. 1, 1947, for each of the years actually employed since 1947; etc., and declaring an emergency."

S. B. No. 286, A bill to be entitled "An Act amending Article 3241, Revised Civil Statutes of 1925, by removing from said Article the phrase "Five Dollars per week for the board of such patient, together with the necessary cost incident to his transportation to said colony" and adding thereto the phrase "the actual cost of maintaining and treating such patient"; providing a saving clause; and declaring an emergency."

S. B. No. 101, A bill to be entitled "An Act amending Section 1 of Acts of the 44th Legislature, 1935, Chapter 39, page 111, as amended by subsequent sessions of the Legislature, and as codified as Section 1, of Article 4639a, Vernon's Civil Statutes of Texas, so as to raise the age from sixteen (16) to eighteen (18) years for which the court may require a parent to contribute to the support of a minor child upon the granting of a divorce; etc., and declaring an emergency."

S. B. No. 93, A bill to be entitled "An Act amending subsection (c) of Section 3, Chapter 42, Acts of the 41st Legislature, Second Called Session, 1929, as amended, regulating the length of vehicles and combinations of vehicles; providing that no motor vehicle and mobile home combination shall exceed total length of fifty-five (55) feet; imposing certain conditions for the exemption for mobile homes from the limitations on length of other types of vehicles; and declaring an emergency."

S. B. No. 120, A bill to be entitled "An Act to amend the subject matter embraced in Section 14, Chapter 324, Acts of the Regular Session of the 52nd Legislature, 1951; defining

the word 'Veteran' and the phrases Texas Veteran of the present war or wars commonly known as World War I' and 'Texas veterans of service in the armed forces of the United States of America subsequent to 1945'; and declaring an emergency."

(With amendment.)

Respectfully submitted,

CLARENCE JONES,  
Chief Clerk, House of Representatives

#### House Bill 175 on Second Reading

Senator Wagonseller asked unanimous consent to suspend the regular order of business to take up H. B. No. 75 for consideration at this time on its second reading and passage to third reading.

There was objection.

Senator Wagonseller then moved to suspend the regular order of business to take up and consider H. B. No. 175.

The motion prevailed by the following vote:

#### Yeas—26

Ashley	Moffett
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Willis
McDonald	

#### Nays—2

Aikin	Hardeman
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#### Absent

Moore	Weinert
Russell	

The President laid before the Senate for consideration at this time the following bill:

H. B. No. 175, A bill to be entitled "An Act to amend further Chapter 13, Acts of Second Called Session, 41st Legislature, creating Brazos River Conservation and Reclamation District, as amended, etc., and declaring an emergency."

The bill was read the second time.  
(President pro tempore in Chair.)

Senator Wagonseller offered the following committee amendment to the bill:

Amend H. B. 175, Section 3, Subdivision 5-b, page 4, by deleting the period after the word "waters" and adding the following:

"including any rights of municipalities which maintain and use storage structures in the bed of the Brazos River or its tributaries."

The committee amendment was adopted.

Senator Wagonseller offered the following committee amendment to the bill:

Amend House Bill No. 175 by striking out the period following the word "designated" in the third paragraph of Section 5 and inserting a comma in lieu of said period and adding the following:

"provided, that no person shall be deprived of any defense available under the general law of Eminent Domain as set out in Title 52 of the Revised Civil Statutes of Texas, 1925, and provided, further, that said Authority shall not acquire or operate a steam-generating plant for the production and sale of electric energy."

HARDEMAN  
SHIREMAN  
KAZEN

The committee amendment was adopted.

Senator Phillips offered the following amendment to the bill:

Amend House Bill No. 175, page 4 of the printed bill, by adding at the end of the third paragraph as amended, the following sentence:

"The Authority is not authorized to acquire property by condemnation outside of its boundaries unless such property is required to provide water supply services for municipalities, public agencies or others outside of its boundaries, and to the extent that right-of-way must be acquired to permit exercise of the rights conferred by Section 4 of this Act."

The amendment was adopted.

Senator Phillips offered the following amendment to the bill:

Amend the Bill, page 6, line 15, in Section 4, by inserting between the words "to" and "purchase" the words "construct or."

The amendment was adopted.

Senator Phillips offered the following amendment to the bill:

Amend the Bill, page 3, line 18, in Section 3, by inserting after the word "equip" and before the word "and" the following:

", to acquire storage rights at,"

The amendment was adopted.

Senator Hardeman offered the following amendment to the bill:

Amend House Bill No. 175, as amended by Senate Committee Amendment No. 2, by striking out the period following the word "energy" in Committee Amendment No. 2, and inserting a comma in lieu thereof, and adding the following:

"and provided further, that except for the purpose of acquiring the necessary area below or above the anticipated high-water line of any reservoir, the Authority shall not have the right to condemn any property of a rural electrification cooperative or other corporations engaged in the generation or sale of electric energy to the public."

The amendment was adopted.

(President in the Chair.)

Senator Wagonseller offered the following amendment to the bill:

Amend House Bill 175 by inserting at the end of Section 5 (which is Section 13(a) of the Act to be amended) between lines 26 and 27 on page 4 the following language:

In the event that the Authority, in the exercise of the power of eminent domain or power of relocation, or any other power granted hereunder, makes necessary the relocation, raising, re-routing or changing the grade of, or altering the construction of any highway, railroad, electric transmission line or pipeline, all such necessary relocation, raising, re-routing, changing of grade or alteration of construction shall be accomplished at the sole expense of the Authority.

Senator Phillips moved to table the amendment.

Yeas and nays were demanded.



The motion to table was lost by the following vote:

**Yeas—8**

Ashley	Lane
Fuller	Latimer
Kazen	Phillips
Kelley	Shireman

**Nays—18**

Aikin	Parkhouse
Bell	Rogers of Travis
Corbin	Russell
Hardeman	Rutherford
Hazlewood	Sadler
Martin	Secrest
McDonald	Strauss
Moffett	Wagonseller
Moore	Willis

**Absent**

Bracewell	Rogers
Colson	of Childress
Lock	Weinert

Question recurring on the amendment, it was adopted.

Senator Secrest offered the following amendment to the bill:

Amend House Bill 175 as amended by adding to the printed copy thereof, following section 6, line 28, page 4, the following language:

"except that nothing herein shall repeal Articles 7467-7621 inclusive of the Revised Civil Statutes of Texas of 1925."

Senator Wagonseller moved to table the amendment.

The motion to table prevailed.

Senator Secrest offered the following amendment to the bill:

Amend House Bill 175, as amended, by adding to the printed copy thereof, by adding thereto a new section to be designated as 6-a which is to be as follows:

"6-a. The Texas Board of Water Engineers shall have the exclusive authority to issue permits and to regulate the taking of captive flood waters and the natural flow of water from all streams of Texas."

On motion of Senator Phillips, the amendment was tabled.

Senator Secrest offered the following amendment to the bill:

Amend House Bill 175, as amended,

by adding to the printed copy thereof by adding to Section 1-a, line 28, page 2 thereof the following language: "provided, however, that any contract which said authority might execute with any municipality for sale of waters stored in any reservoir of a federally constructed dam the following items and no others may be used in determining the cost of such water:

1. Cost, if any, to the authority of the storage space in said reservoir.
2. The maintenance cost, if any, to the authority of the storage space in said reservoir.
3. The cost of administering the disposition of the water from the specific reservoir from which the water is to be taken.

Senator Phillips moved to table the amendment.

Question—Shall the amendment by Senator Secrest to H. B. No. 175 be tabled?

**House Concurrent Resolution 94  
on Second Reading**

On motion of Senator Martin, and by unanimous consent of the Senate, the President laid before the Senate for consideration at this time the following resolution:

H. C. R. No. 94. Giving the Enrolling Clerk authority to make changes in H. B. 500.

The resolution was read second time and was adopted.

**Bills Signed**

The President signed, in the presence of the Senate after the captions had been read, the following enrolled bills:

S. B. No. 320, A bill to be entitled "An Act extending the provisions of Chapter 163, Acts of the 50th Legislature, 1947 (codified as Article 8263i in Vernon's Texas Civil Statutes), which confers certain rights and powers upon navigation districts created under Chapter 5, General Laws of the 39th Legislature, Regular Session, 1925, so as to include districts composed of parts of one or more counties, one of which counties is adjacent to any county which has one or more boundaries coincident with any part of the international boundary between the United States and the Republic of Mexico; providing a severability clause; and declaring an emergency."

S. B. No. 108, A bill to be entitled "An Act validating oil and gas leases sold by the School Land Board and issued by the Commissioner of the General Land Office, under the seal of his office, covering areas within tidewater limits which were advertised and offered for lease on June 7, 1949, after advertisement for not less than thirty (30) days prior to June 6, 1949, in accordance with the law in effect; providing that the Act shall not apply to or affect any oil and gas leases sold and issued pursuant to said advertisement and lease sale date which are not otherwise valid and in force on the effective date of this Act; and declaring an emergency."

S. B. No. 134, A bill to be entitled "An Act to amend Article 658, Code of Criminal Procedure of the State of Texas, Acts 1913, page 278; amended, Acts 1931, Forty-second Legislature, page 65, Chapter 43, paragraph 5, so as to require the giving of a written charge in the trial of certain misdemeanors specifying the extent and effect of the objections made to the charge; repealing Articles 662 and 663, Chapter 5, page 430, Vernon's Texas Statutes, Code of Criminal Procedure; and declaring an emergency."

S. B. No. 299, A bill to be entitled "An Act providing for the payment of interpreters employed by the courts in counties having a population in excess of 500,000 inhabitants; repealing conflicting laws; and declaring an emergency."

S. B. No. 214, A bill to be entitled "An Act authorizing the Railroad Commission of Texas to approve agreements for construction and operation of cooperative facilities for conservation and utilization of gas, after notice and hearing and certain findings by the Commission; providing restrictions on the nature of such agreements; making certain exceptions; stating the construction to be given this Act and its effect on other existing laws; providing a severability clause; and declaring an emergency."

S. B. No. 233, A bill to be entitled "An Act amending Article 1577, Revised Civil Statutes of Texas, 1925, providing the commissioners court may, by an order to be entered on its minutes, appoint a commissioner to sell and dispose of any real estate of the county at public auction; providing for notice; providing that where

right of way property is conveyed by the State to a county and the county decides to sell such property it shall be sold with certain priorities of purchase; providing for a deed by such commissioner to convey to the purchasers such real estate; providing nothing contained in this article shall authorize any commissioners court to dispose of any lands given, donated or granted to such county for purpose of education; and declaring an emergency."

S. B. No. 115, A bill to be entitled "An Act providing that the Judges of the County Courts at Law Nos. 1 and 2, of Bexar County, Texas, shall receive an annual salary of Nine Thousand Six Hundred (\$9,600.00) Dollars, payable in equal monthly installments out of the General Fund of Bexar County, Texas, upon orders of the Commissioners Court; and declaring an emergency."

S. B. No. 295, A bill to be entitled "An Act amending Section 2 of Chapter 77, Acts of the 52nd Legislature, 1951 (codified as Section 2 of Article 895b in Vernon's Texas Penal Code) by adding a provision for the issuance of hunting licenses to nonresidents of this State entitling the holders to hunt migratory birds for a period of five consecutive days and fixing the fee for such licenses; and declaring an emergency."

S. B. No. 43, A bill to be entitled "An Act amending Title 46, Revised Civil Statutes of Texas, 1925: By amending Article 2465, Vernon's Revised Civil Statutes of Texas, 1925, as amended by Acts 1951, 52nd Legislature, page 233, Chapter 139, Section 5; and by amending Article 2477, Vernon's Revised Civil Statutes of Texas, 1925, as amended by Acts 1949, 51st Legislature, page 346, Chapter 173, Section 9, by providing for making loans and investing funds on real estate security under certain conditions, etc., and declaring an emergency."

S. B. No. 293, A bill to be entitled "An Act relating to the salaries of all State Officers except the salaries and other compensation of District Judges and except those Constitutional State Officers whose salaries are specifically fixed by the Constitution; specifically providing that the Legislature shall fix the amount of compensation to be paid Clerks of the

Courts of Civil Appeals, the Supreme Court, and the Court of Criminal Appeals out of the fees of office; specifically suspending all laws and parts of laws in conflict herewith; and declaring an emergency."

S. B. No. 315, A bill to be entitled "An Act to regulate the taking of minnows from the streams and rivers in Collin and Rockwall Counties; providing a penalty; repealing all laws in conflict; and declaring an emergency."

S. B. No. 132, A bill to be entitled "An Act to amend Article 659, Code of Criminal Procedure of the State of Texas, Acts 1913, page 278, relating to special requested instructions in criminal cases; their purpose and effect; and declaring an emergency."

S. B. No. 208, A bill to be entitled "An Act authorizing the board of trustees of any school district to pledge delinquent school taxes levied for local maintenance purposes as security for a loan and to apply when collected such taxes pledged to the payment of the loan and interest; prescribing the purposes to which funds realized from such loans may be put; providing such loans may bear interest at a rate not to exceed six (6%) per cent per annum; and declaring an emergency."

S. B. No. 245, A bill to be entitled "An Act amending Sections 3 and 4 of Article IV, House Bill No. 426, Acts 52nd Legislature, 1951, providing the eligibility standards for apportionment of the Public Junior College appropriation; and declaring an emergency."

S. B. No. 42, A bill to be entitled "An Act re-enacting and amending Articles 563 and 564 of the Code of Criminal Procedure of the State of Texas, 1925, relating to change of venue, providing for a change of venue in the trial of felony cases or in the trial of misdemeanor cases in the County Court when jury cannot be had; providing for determination of all motions to set aside the indictment, information or complaint before granting an application for change of venue, and for determination of special pleas and exceptions filed which are to be determined by the judge, and for entry of plea of not guilty, if overruled; and declaring an emergency."

S. B. No. 39, A bill to be entitled

"An Act amending Section 4 of Senate Bill No. 44, Acts of the 48th Legislature, 1943, Chapter 204, page 313, as last amended by House Bill No. 196, Acts of the 52nd Legislature, 1951, Chapter 156, page 270, being codified as Section 4 of Article 2338-1, Vernon's Civil Statutes, and pertaining to the designation and jurisdiction of juvenile courts, by providing that the county court may be designated as the juvenile court of a county having two or more district courts, one or more district courts and one or more criminal district courts, where neither of the judges of the district courts or criminal district courts is a resident of the county; providing a saving clause; and declaring an emergency."

#### House Bills and Resolutions on First Reading

The following bills and resolutions, received from the House, were read the first time and were referred to the committees indicated:

H. B. No. 471, to Committee on State Affairs.

H. B. No. 325, to Committee on State Affairs.

H. B. No. 163, to Committee on State Affairs.

H. B. No. 559, to Committee on State Affairs.

H. B. No. 579, to Committee on Water Rights, Irrigation and Drainage.

H. B. No. 723, to Committee on Insurance.

H. B. No. 816, to Committee on Civil Jurisprudence.

H. B. No. 890, to Committee on State Affairs.

H. B. No. 546, to Committee on Finance.

H. C. R. No. 97, to Committee on Civil Jurisprudence.

H. C. R. No. 95, to Committee on Civil Jurisprudence.

H. B. No. 437, to Committee on Educational Affairs.

H. B. No. 891, to Committee on Finance.

#### Recess

On motion of Senator Aikin, the

Senate at 5:25 o'clock p. m. took recess until 10:30 o'clock a. m. tomorrow.

# **FIFTY-EIGHTH DAY**

(Continued)

(Thursday, May 7, 1953)

## **After Recess**

The Senate met at 10:30 o'clock a. m., and was called to order by the President.

## **Reports of Standing Committees**

By unanimous consent, Senator Bell submitted the following report:

Austin, Texas,  
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred S. J. R. No. 15, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BELL, Chairman.

By unanimous consent, Senator Lane submitted the following reports:

Austin, Texas,  
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. C. R. No. 81, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

LANE, Chairman.

Austin, Texas,  
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. C. R. No. 82, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

LANE, Chairman.

Austin, Texas,  
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We your Committee on Civil Jurisprudence, to whom was referred H. C. R. No. 83, have have the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

LANE, Chairman.

Austin, Texas,  
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. C. R. No. 47, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,  
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. C. R. No. 44, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,  
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 540, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,  
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 535, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.